

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EAST BAY LAW,

Plaintiff,

v.

FORD MOTOR COMPANY,

Defendant.

NO. C13-2822 TEH

ORDER RE: DEFENDANT'S
MOTION TO DISMISS

Defendant Ford Motor Company ("Ford") filed a motion to dismiss on August 29, 2013. After this case was reassigned to this Court, Ford purported to re-notice its motion on September 9, 2013. However, upon the Court's review, the re-noticed motion raised arguments not contained in the original motion. Accordingly, on September 10, 2013, the Court terminated the original motion to dismiss and set a new hearing date of October 21, 2013, at 10:00 AM, to provide the parties sufficient time to address the new motion.

The following day, Ford moved for administrative relief to reinstate its August 29, 2013 motion; to withdraw the erroneously filed September 9, 2013 motion; and to move the hearing date on Ford's motion to dismiss to October 14, 2013, at 10:00 AM. The deadline for opposing the motion for administrative relief has passed, and no opposition has been filed. The Court therefore finds good cause to GRANT the motion as unopposed, except that October 14, 2013 is a federal holiday.

Accordingly, IT IS HEREBY ORDERED that:


1. The Court will consider Ford's originally filed August 29, 2013 motion (Docket #10) to dismiss and will terminate Ford's September 9, 2013 re-noticed motion (Docket #16).

1 2. The hearing on Ford's motion to dismiss shall remain on **October 21, 2013, at**
2 **10:00 AM.**

3 3. Plaintiff East Bay Law shall file an opposition or statement of non-opposition
4 to the motion to dismiss on or before **September 30, 2013**, and Ford shall file a reply on or
5 before **October 7, 2013.**

6
7 **IT IS SO ORDERED.**

8
9 Dated: 09/18/13



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT